



SPROUSE SHRADER SMITH PLLC
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May 21, 2021

Saunders County Board of Supervisors
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Director Jim Macy
Nebraska Department of Energy Environment
245 Fallbrook Blvd.
Lincoln, NE 68521
Jim.macy@nebraska.gov

Re: Champion Feeders, LLC Conditional Use Permit Request/Mead Cattle Company

Ladies and Gentlemen:

My firm represents Champion Feeders, LLC ("Champion") as corporate counsel in its proposed acquisition of the feedyard facility in Mead, Nebraska that is currently operated by Mead Cattle Company, LLC ("Mead Cattle"). We are in receipt of correspondence dated May 20, 2021 to you from **Ex. 4 CBI** Corporate Counsel for **Ex. 4 CBI** and **Ex. 4 CBI** Assistant General Counsel for **Ex. 4 CBI**. The purpose of my correspondence to you is to clarify Champion's position regarding its requested conditional use permit to operate the feedyard facility in light of the seed company's attempted interference in that process.

Champion has been in negotiations with Mead Cattle since July of 2020 regarding a potential transaction whereby Champion would purchase the assets of Mead Cattle and would begin operating the feedyard. During the pendency of these negotiations, Champion has commissioned a number of environmental assessments of the feedyard property, including, without limitation, Phase I's, Phase II's, and the recent testing of the water system and manure for pesticides at the request of the Saunders County Board of Supervisors. The results of the tests of the water system showed ND (non-detect) for all chemicals in the sample package, including the pesticides of concern from the AltEn facility. The manure samples showed trace amounts of glyphosate (i.e. Roundup), which was not a chemical found in the treated seeds utilized in the

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AltEn ethanol plant. Additionally, the manure tests showed trace amounts of thiamethoxam at <5 parts per billion, which is the detection limit for that chemical and very far below the EPA tolerance levels for drinking water. A more thorough explanation of these test results can be found in the report from Nutrient Advisors that has been provided to Saunders County in advance of the scheduled Board of Supervisors meeting on May 25, 2021.

Champion has never been contacted by either of the companies behind the May 20 correspondence, nor have we been contacted by any other party involved in the environmental cleanup currently underway at the AltEn facility. Counsel representing Mead Cattle did ask Champion if we would be interested in ceding some of the feedyard property to the cleanup efforts, but we declined the request and stated that we would be happy to discuss any matters pertaining to the cleanup with the seed companies after closing on the purchase of the Mead Cattle assets. While Champion shares the concern of the seed companies and residents of Saunders County regarding the environmental issues caused by AltEn, we do not believe those issues should impact our ability to purchase the Mead Cattle assets and to operate the feedyard facility. Champion simply wants to purchase the feedyard assets and operate the feedyard as a fully independent going concern. We urge the Saunders County Board of Supervisors to grant Champion its requested conditional use permit so that we may begin operating the feedyard and become a partner of the Mead and Saunders County community going forward.

Sincerely,

SPROUSE SHRADER SMITH PLLC



Taylor K. Kelley